

ORDINANCE NO. 08-65

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO A LEASE AGREEMENT BETWEEN THE CITY OF HIALEAH, AS LANDLORD, AND CITY OF HIALEAH EDUCATION ACADEMY, INC., A FLORIDA NOT-FOR-PROFIT, AS TENANT, FOR USE OF THE SCHOOL FACILITY LOCATED AT SLADE PARK CONSISTING OF 22,870 SQUARE FEET LOCATED AT 2590 WEST 76 STREET, HIALEAH, FLORIDA, FOR A PERIOD OF THREE YEARS, COMMENCING ON SEPTEMBER 1, 2008 AND ENDING ON AUGUST 31, 2011, FOR AN ANNUAL AMOUNT OF \$1.00, IN THE FORM AS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to enter into a lease agreement with City of Hialeah Education Academy, Inc., a Florida not-for-profit corporation, for the school facility located at 2590 West 76 Street, Hialeah, Florida, within the confines of Slade Park, under the management and operation of Academica Dade LLC.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby authorize the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a lease agreement between the City of Hialeah, as landlord, and City of Hialeah Education Academy, Inc., a Florida not-for-profit corporation, as tenant, for use of the school facility at Slade Park consisting of 22,870 square feet, located at 2590 West 76 Street, Hialeah, Florida, for a period of three years, commencing on September 1, 2008 and ending on August 31, 2011, for an annual amount of \$1.00, , in the form as attached hereto and made a part hereof as Exhibit "1".

Section 2: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation or suspension of licenses or permits.

Section 3: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 4: Effective Date.

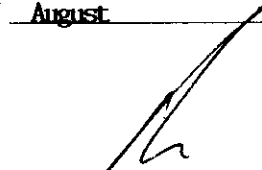
This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida and signed by the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council

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overrides the Mayor's veto.

PASSED AND ADOPTED this 26th day of August, 2008.


THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.



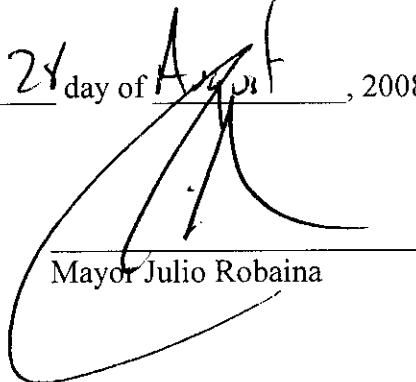
Esteban Bovo
Council President

Attest:

Approved on this 24 day of August, 2008.



Rafael E. Granado, City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

Ordinance was adopted by a unanimous vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".